

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ROY DEN HOLLANDER,

Plaintiff,

- against-

COPACABANA NIGHT CLUB, CHINA CLUB,
GUEST HOUSE, A.E.R. NIGHTCLUB, SOL, and
JANE DOE PROMOTERS,

Defendants.
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Case No.:07-cv-5873 (MGC)(KNF)

NOTICE OF MOTION TO DISMISS
THE AMENDED COMPLAINT
PURSUANT TO FED.R.CIV.P.
12(b)(6)

TO: **Attached Service List**

PLEASE TAKE NOTICE that upon the annexed supplemental affirmation of Vanessa R. Elliott, Esq. and upon the affirmation of Vanessa R. Elliott and Memorandum of Law filed on October 25, 2007 in support of defendant's motion to dismiss the initial complaint, defendant AER Lounge, LLC will move this Court on January 10, 2008 at 9:30 a.m. before the Hon. Miriam Goldman Cedarbaum, U.S. District Court Judge, Southern District of New York, U.S. Courthouse, Room 1330, 500 Pearl Street, New York, NY 10007-1312 for an Order pursuant to Fed.R.Civ.P. 12(b)(6), dismissing the Amended Complaint for failure to state a claim.

Dated: December 14, 2007

/s/ Vanessa R. Elliott

By: Vanessa R. Elliott (VE 4752)
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